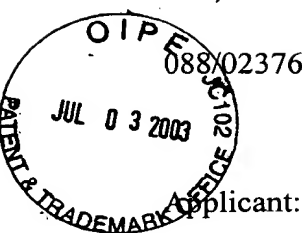


#9



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Amir LOSHAKOVE, et al.
Serial Number: 09/936,806
Filing Date: September 17, 2001
For: VASCULAR SURGERY
Art Unit: 3731
Examiner: Not yet assigned

RECEIVED

JUL 08 2003
OFFICE OF PETITIONS

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CHANGE OF STATUS FROM SMALL TO LARGE ENTITY (37 C.F.R. §1.28 (c))

Sir:

It has recently come to our attention that the small entity status in this case might have been claimed in error. The claim to small entity status was made in good faith, due to a possible misunderstanding, by the patent assignee.

The assignee of the application is a start-up, which on its face, meets the criteria for small entity status. However, the assignee of the present invention has now realized that business agreements that he has signed might affect his small entity status. The assignee therefore decided to err on the side of caution and give up small entity status and to pay the deficiency fees associated with the change in the entity status.

Enclosed herewith is a transmittal sheet previously filed in this application. Red markings on the sheet indicate the present fees. The deficiency is also indicated.

The total deficiency is \$375.00.

Respectfully submitted,
Amir LOSHAKOVE, et al.

Paul Fenster
Paul FENSTER
Reg. No. 33,877

Adjustment date: 07/18/2003 AKELLEY
09/21/2001-UEBUWJE 00000179-033419 09936806
01 FC:957 345.00 CR
07/18/2003 AKELLEY 00000029 033419 09936806
01 FC:1609 720.00 DA

June 26, 2003
William H. Dippert, Esq
Reed Smith LLP
599 Lexington Avenue, 29th Floor
New York, NY 10022-7650
Tel: (212) 521-5400



DAC # (5)

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
088/02376

In Re Application Of: Amir LOSHAKOVE et al.

Serial No.
09/936,806

Filing Date
September 17, 2001

Examiner
Not yet assigned

Group Art Unit
3731

Title: VASCULAR SURGERY

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Transmitted herewith is:

1. Change of Status from Small to Large Entity (including annotated copy of page 2 of Transmittal Letter showing deficiency fees)
2. Payment correcting deficiency fee due to change in entity status

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OFFICE OF PETITIONS

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 03-3419 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$375.00
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.

Paul Fenster

Signature

Dated: June 26, 2003

Paul FENSTER, Reg. No. 33,877

William H. Dippert, Esq.
Reed Smith LLP
599 Lexington Avenue, 29th Floor
New York, NY 10022-7650

Tel: (212) 521-5400

CC:

20. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)) <input type="checkbox"/> Search Report has been prepared by the EPO or JPO \$930.00 <input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$930.00 720 <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$790.00 <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,070.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$98.00				RECEIVED JUL 08 2003 OFFICE OF PETITIONS	
ENTER APPROPRIATE BASIC FEE AMOUNT =					
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x \$18.00	\$0.00	
Independent claims	2 - 3 =	0	x \$80.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$690.00	\$ 720.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input checked="" type="checkbox"/>				\$345.00	
SUBTOTAL =				\$345.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
TOTAL NATIONAL FEE =				\$345.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$345.00	
				Amount to be: refunded	\$
				charged	\$

☐ A check in the amount of _____ to cover the above fees is enclosed.

☒ Please charge my Deposit Account No. **03-3419** in the amount of ~~\$345.00~~ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **03-3419** A duplicate copy of this sheet is enclosed.

Deficiency fee = \$375.00

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

William H. Dippert, Esq.
 Cowan, Liebowitz and Latman, P.C.
 1133 Avenue of the Americas
 New York, NY 10036-6799

Tel: (212) 790-9200

Paul Fenster
 SIGNATURE

Paul FENSTER

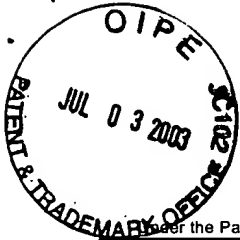
NAME

33,877

REGISTRATION NUMBER

September 17, 2001

DATE



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on June 30, 2003
Date

William H. Dippert
Registration No. 26,723

Reed Smith LLP
599 Lexington Avenue
29th Floor
New York, New York 10022-7650
Tel: 212-521-5400; Fax: 212-521-5450

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Applicant: Amir Loshakove, et al.
Serial No: 09/936,806
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Enclosures: (1) Transmittal Letter (1 page); (2) Change of Status From Small To Large Entity (1 page)
w/annotated copy of page 2 of Transmittal Letter showing deficiency fees;
(3) Acknowledgement Postcard.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Transaction List

Search by:

☐ Accounting Date: Operator ID:

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Accounting Date

Starts:

Ends:

☒ Name / Number:

☐ Attorney Dock #:

☐ Deposit Account No.:



Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acct
09/21/2001	UEDUVJE	771	SALE	581	A	40.00	09936806	033419
09/21/2001	UEDUVJE	770	SALE	957	A	345.00	09936806	033419



Adjustment Detail

Authorization Detail

